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Attorneys for Defendants

COUNTY OF SACRAMENTO, JIM SPURGEON and MICHAEL DANIELS

*Exempt from Filing Fees Pursuant to Government Code § 6103*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CHARLES HOUFF, individually, and as a  
successor-in-interest to Decedent AMELIAN  
HOUFF; OLIVIA EDWARDS, individually,  
and as successor-in-interest to Decedent  
AMELIAN HOUFF,

Plaintiff,

v.

CITY OF SACRAMENTO, a municipal  
corporation; CITY OF SACRAMENTO  
police officer MITCHELL BARRETT, in his  
individual and official capacities as an  
officer for the CITY OF SACRAMENTO;  
CITY OF SACRAMENTO police sergeant  
MICHAEL FRAZER, in his individual and  
official capacities as an officer for the CITY  
OF SACRAMENTO; CITY OF  
SACRAMENTO police Lieutenant BRIAN  
ELLIS, in his individual and official  
capacities as an officer for the CITY OF  
SACRAMENTO; COUNTY OF  
SACRAMENTO, a municipal corporation;  
COUNTY OF SACRAMENTO Sheriff's  
Sergeant JIM SPURGEON, in his individual  
and official capacities as a deputy for the

CASE NO. 2:22-CV-01150-MCE-JDP

**JOINT STIPULATION AND ORDER  
REGARDING SCHEDULING ORDER**

Complaint Filed: 7/1/2022

COUNTY OF SACRAMENTO; COUNTY OF SACRAMENTO Sheriff's Lieutenant MICHAEL DANIELS, in his individual and official capacities as a deputy for the COUNTY OF SACRAMENTO; and DOES 1-50, inclusive, individually, jointly, and severally,

Defendants.

Plaintiffs CHARLES HOUFF and OLIVIA EDWARDS ("Plaintiffs") and Defendants COUNTY OF SACRAMENTO, JIM SPURGEON, MICHAEL DANIELS, CITY OF SACRAMENTO, MITCHELL BARRET, MICHAEL FRAZER and BRIAN ELLIS ("Defendants") (Plaintiffs and Defendants collectively referred to as the "parties"), by and through their respective counsels of record, hereby stipulate as follows:

1. The parties entered into a Joint Stipulation on June 10, 2024, which was signed by the Court and filed on June 13, 2024. (ECF No. 55.) In the Joint Stipulation, the parties agreed there was good cause to allow Andrew Keegans' deposition to occur after the close of fact discovery and within a reasonable time after August 29, 2024.<sup>1</sup> Andrew Keegans' deposition was ordered to occur no later than October 1, 2024.
2. Defendant County of Sacramento noticed Andrew Keegans' deposition for a third time to occur on September 3, 2024, which was the first day the parties were available after August 29, 2024. Andrew Keegans did not appear.
3. On September 4, 2024, Magistrate Judge Peterson's courtroom deputy informed Defendant County of Sacramento that the earliest hearing date for a Motion to Compel Andrew Keegans' deposition would be October 3, 2024. On September 16, 2024, Defendant County of Sacramento filed a Motion to Compel Andrew Keegans' Deposition. The hearing is currently set for October 3, 2024, at 10:00 a.m.
4. As such, despite the parties' best efforts and due diligence, the deposition of Andrew

<sup>1</sup> The statute of limitations for any felony charges resulting from the subject incident expired on August 29, 2024. The parties agreed to take Andrew Keegans' deposition after that date so as not to run into any issues related to the Fifth Amendment to the United States Constitution.

Keegans will not occur prior to October 1, 2024. Given the above-mentioned circumstances and the pending Motion to Compel, the parties agree that there is good cause to extend the deadline by which to take Andrew Keegans' deposition to December 1, 2024.

5. All other deadlines shall remain unchanged.

**IT IS SO STIPULATED.**

Dated: 9/24/2024

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By: /s/ Megan N. Boelter  
Carl L. Fessenden  
William E. Camy  
Megan N. Boelter  
Attorneys for Defendants COUNTY OF  
SACRAMENTO, MICHAEL DANIELS  
and JIM SPURGEON

Date: 9/24/2024

LAW OFFICE OF JOHN L. BURRIS

By: /s/ Benjamin Nisenbaum  
John Burris  
Benjamin Nisenbaum  
James Cook  
Attorneys for Plaintiff CHARLES HOUFF

Date: 9/24/2024

BRYANT LAW GROUP

By: /s/ Ian Kelley  
Ian Kelley  
Paul Alaga  
Attorneys for Plaintiff OLIVIA EDWARDS

1 Date: 9/24/2024

DEAN GAZZO ROISTACHER LLP

2  
3 By: /s/ Aleries Lau

4 Mitchell Dean  
5 Lee Roistacher  
6 Aleries Lau  
Attorneys for Defendant BRIAN ELLIS

7 Date: 9/24/2024

CITY OF SACRAMENTO

8  
9 By: /s/ Sean D. Richmond

10 Sean D. Richmond  
11 Kate D. L. Brosseau  
Attorneys for Defendant CITY OF SACRAMENTO,  
12 MITCHELL BARRET and MICHAEL FRAZER  
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**ORDER**

The Court, having reviewed and considered the Parties' foregoing Stipulation, and finding good cause, hereby Orders as follows:

1. The deposition of Andrew Keegans must occur by December 1, 2024. Any discovery motions related thereto may also be brought at that time.
2. All other deadlines shall remain unchanged.

IT IS SO ORDERED.

DATED: September 25, 2024

  
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MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE